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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	MM Docket No. 93-224
)	
Amendment of Section 73.202(b))	RM-8291, RM-8325,
Table of Allotments,)	RM-8358, RM-8360
FM Broadcast Stations,)	
)	
FARMINGTON, BISMARCK,)	
IRONTON AND CENTERVILLE, MISSOURI)	
AND HERRIN, ILLINOIS)	

TO: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

STATEMENT FOR THE RECORD

KREI Inc. (hereafter KREI), by its attorneys, hereby submits this Statement for the Record in the above-referenced rule making proceeding, wherein the Commission has under consideration the allotment (or upgrade) of FM channels inter alia at Bismarck and Ironton, Missouri, and Herrin, Illinois.

1. The Commission has under consideration in this rule making proceeding inter alia (i) the allotment of Channel 258C3 at Bismarck, Missouri, (ii) the upgrade of Station KYLS from Channel 224A to 258C3 at Ironton, Missouri, and (iii) the upgrade of Station WVZA from Channel 224A to 224B1 at Herrin, Illinois. Public Notice, Report No. 1978, released October 22, 1993. Specifically, KREI has proposed the allotment of Channel 258C3 at Bismarck (1990 population - 1,579) as that community's first local transmission service. KREI Comments and Counterproposal filed September 24, 1993. The KREI Bismarck proposal is mutually

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exclusive with the proposals of the WVZA permittee (William E. Tate) to upgrade that station from Channel 224A to 224B1 at Herrin and the proposal of the KYLS licensee (David E. Smith Communications, Inc.) to upgrade that station from Channel 224A to 258C3 at Ironton. Tate and Smith Comments and Counterproposal filed September 24, 1993. KREI has demonstrated that the allotment of a first aural transmission service at Bismarck is comparatively superior under Section 307(b) of the Communications Act to the C3 upgrade of KYLS at Ironton and the B1 upgrade of WVZA at Herrin. KREI Reply Comments filed November 8, 1993.

2. In apparent concession to KREI's Section 307(b) analysis, and on December 30, 1993, Smith and Tate availed themselves of the Commission's new one-step FM application procedure (Section 73.3573(a)(1) of the Rules) by the filing of applications to change the KYLS channel from Channel 224A to Channel 225A (Appendix A hereto) and to upgrade Station WVZA from Channel 224A to Channel 224B1 (Appendix B hereto). The engineering sections of the application were prepared by the same consultant and common communications counsel requested that these applications be processed concurrently (Ibid.).^{1/}

^{1/} The parties' engineering consultant represents in the KYLS application that the proposed adjacent channel change at Ironton (from Channel 224A to 225A) "is being applied for, so that station WVZA, Channel 224A in Herrin, IL may specify an upgrade to Class B1 on Channel 224" (Appendix A hereto, Engineering Statement, first page).

3. The KYLS and WVZA one-step applications effectively remove the mutual exclusivity between KREI's Channel 258C3 Bismarck proposal and the WVZA Channel 224B1 Herrin upgrade. That is to say, whether or not the Commission allots Channel 258C3 to Bismarck (or Ironton), Smith, the KYLS licensee, and Tate, the WVZA permittee, are prosecuting applications, which if approved will enable WVZA to upgrade to B1 facilities. Stated otherwise, given Smith's stated willingness to change the KYLS channel from 224A to 225A at Ironton,^{2/} the WVZA B1 upgrade at Herrin may be accomplished without the necessity for rule making.^{3/}

4. Based upon the record, it is indisputable that KREI's proposal to provide a first aural transmission service at Bismarck is superior to Smith's proposal to upgrade KYLS at Ironton. The Commission should, therefore, promptly conclude this rule making proceeding by the allotment of Channel 258C3 at Bismarck.

^{2/} Consistent with the one-step upgrade procedure, WVZA, while proceeding under Section 73.215 of the Rules, has demonstrated that "a fully spaced site exists for Channel 224B1 at Herrin, under the condition that KYLS change to Channel 225A . . ." (Appendix B hereto, Engineering Statement, first page). ("[A]ll applicants using the one-step process [and proceeding under the contour protection requirements of Section 73.215] must also demonstrate that a suitable site exists which would comply with allotment standards with respect to minimum distance separation . . ." FM Channel and Class Modifications by Application, 73 RR2d 247, 250 (1993)).

^{3/} Under the one-step upgrade procedure, upon approval of an upgrade application, the "FM Table of Allotments will be amended at a later date, as a purely administrative matter, to reflect the new . . . operating class." Public Notice, Mimeo 34706, released August 31, 1993, 73 RR2d 1474 (1993).

- 4 -

Respectfully submitted,

KREI INC.

By:



John E. Fiorini III

GARDNER, CARTON & DOUGLAS
1301 K Street, N.W.
Suite 900, East Tower
Washington, D.C. 20005
(202) 408-7159

DATED: February 17, 1994
[72322]

APPENDIX A

DUPLICATE

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December 30, 1993

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ELIOT J. GREENWALD
CARROLL JOHN YUNG
JOHN JOSEPH MCVEIGH
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BEN S. FISHER
(1890-1954)

CHARLES V. WAYLAND
(1910-1960)

OF COUNSEL
JOHN O. HEARNE

ADMITTED IN D.C.

DELIVERED VIA COURIER TO MELLON BANK

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Dear Mr. Caton:

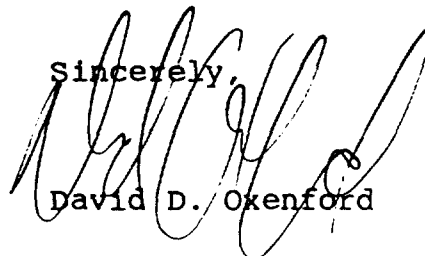
David E. Smith Communications, Inc. hereby files an application for a minor change in the facilities of station KYLS(FM), Ironton, Missouri. This application proposes a change in channel of the station from channel 224A to channel 225A. In addition an increase in power is requested.

Filed concurrently with this application is an application for the change in channel of WVZA(FM), Herrin, Illinois from channel 224A to channel 224B1. It is requested that these applications be processed concurrently.

A filing fee in the amount of \$565.00 accompanies this application.

Should there be any questions concerning this matter, please contact the undersigned.

Sincerely,



David D. Oxenford

DDO/vm
Enclosure
9797-000

Approved by OMB
3060-0027
Expires 6/30/95

FCC 301

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20544

FOR
FCC
USE
ONLY

239
ECC/MELLON DEC 30 1993

APPLICATION FOR CONSTRUCTION PERMIT
FOR COMMERCIAL BROADCAST STATION

FOR COMMISSION USE ONLY

FILE NO.

BRH-931230TE

Section 1 - GENERAL INFORMATION

1. APPLICANT NAME

David E. Smith Communications, Inc.

MAILING ADDRESS (Line 1) (Maximum 35 characters)

c/o KFTW Radio

MAILING ADDRESS (Line 2) (If required) (Maximum 35 characters)

Box 71, Highway 00

CITY

Fredericktown

STATE OR COUNTRY (If foreign address)

MO

ZIP CODE

63645

TELEPHONE NUMBER (Include area code)

(314) 783-6461

CALL LETTERS

KYLS

OTHER FCC IDENTIFIER (IF APPLICABLE)

FOR MAILING THIS APPLICATION, SEE INSTRUCTIONS FOR SECTION 1 - GENERAL INFORMATION B.

2. A. Is a fee submitted with this application?

☒ Yes ☐ No

B. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1112) and go to Question 3.

☐ Governmental Entity

☐ Noncommercial educational licensee

C. If Yes, provide the following information:

Enter in Column (A) the correct Fee Type Code for the service you are applying for. Fee Type Codes may be found in the "Mass Media Services Fee Filing Guide." Column (B) lists the Fee Multiple applicable for this application. Enter in Column (C) the result obtained from multiplying the value of the Fee Type Code in Column (A) by the number listed in Column (B).

(A)	(B)	(C)	FOR FCC USE ONLY									
FEE TYPE CODE	FEE MULTIPLE (if required)	FEE DUE FOR FEE TYPE CODE IN COLUMN (A)										
(1) <table border="1"><tr><td>M</td><td>P</td><td>R</td></tr></table>	M	P	R	<table border="1"><tr><td>0</td><td>0</td><td>0</td><td>1</td></tr></table>	0	0	0	1	<table border="1"><tr><td>\$ 565.00</td></tr></table>	\$ 565.00	<table border="1"><tr><td></td></tr></table>	
M	P	R										
0	0	0	1									
\$ 565.00												

To be used only when you are requesting concurrent actions which result in a requirement to list more than one Fee Type Code.

(A)	(B)	(C)	FOR FCC USE ONLY									
(2) <table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td>0</td><td>0</td><td>0</td><td>1</td></tr></table>	0	0	0	1	<table border="1"><tr><td>\$</td></tr></table>	\$	<table border="1"><tr><td></td></tr></table>	
0	0	0	1									
\$												

ADD ALL AMOUNTS SHOWN IN COLUMN C, LINES (1) THROUGH (2), AND ENTER THE TOTAL HERE. THIS AMOUNT SHOULD EQUAL YOUR ENCLOSED REMITTANCE.

TOTAL AMOUNT REMITTED
WITH THIS APPLICATION

\$ 565.00

FOR FCC USE ONLY

3. This application is for: (check one box)

☐ AM

☒ FM

☐ TV

(b) Channel No. or Frequency

225A

(b) Principal
Community

City

Ironton

State

MO

Section I - GENERAL INFORMATION (Page 2)

(c) Check one of the following boxes:

- ☐ Application for NEW station
- ☐ MAJOR change in licensed facilities; call sign: _____
- ☒ MINOR change in licensed facilities; call sign: _____ **KYLS**
- ☐ MAJOR modification of construction permit; call sign: _____

File No. of construction permit: _____

- ☐ MINOR modification of construction permit; call sign: _____

File No. of construction permit: _____

- ☐ AMENDMENT to pending application; Application file number: _____

NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, use submit only Section I and those other portions of the form that contain the amended information.

4. Is this application mutually exclusive with a renewal application? ☐ Yes ☒ No

If Yes, state:

Call letters	Community of License	
	City	State

ENGINEERING STATEMENT

This Engineering Statement and the attached figures have been prepared by B. Benjamin Evans of Evans Associates, Consulting Communications Engineers in Thiensville, Wisconsin, on behalf of David E. Smith Communications, Inc., licensee of Radio Station KYLS(FM) in Ironton, Missouri.

PRELIMINARY

KYLS is presently licensed to operate on Channel 224A (92.7 MHz) with 0.64 kilowatts effective radiated power and 204 meters antenna height above average terrain. By this application, KYLS proposes to move to Channel 225A, in accordance with the Commission's new "one-step" procedure, and to increase the effective radiated power from its present site. This change is being applied for, so that station WVZA, Channel 224A in Herrin, IL may specify an upgrade to Class B1 on Channel 224. An application is being filed simultaneously with the instant application to change WVZA to Channel 224B1, as per the Commission's "one-step" procedure.

The facilities requested herein are being applied for under Section 73.215 of the FCC Rules in order to permit a short-spacing to KBDZ, Channel 226A in Perryville, MO.

AVAILABILITY OF FULLY-SPACED SITE

As required under the "one-step" procedure for upgrades, a fully-spaced site exists for Channel 225A at Ironton (see attached Figure 4-A). The coordinates of this site are:

N. Lat. 37°-34'-04"; W. Long. 90°-44'-35"

From the above site, it is 10.4 kilometers to Ironton on a bearing of 70° True. Since a full Class A station's predicted 70 dBu contour extends an average of 16.2 kilometers, city of license coverage from this site is assured.

Engineering Statement - Page 2
KYLS(FM), Ironton, MO

PROPOSED FACILITIES

It is proposed herein to increase the effective radiated power to 0.77 KW. The antenna HAAT is being revised slightly, from 204 meters to 206 meters. The power and antenna height combination proposed is below the maximum for a Class A station.

The proposed KYLS facility will serve an area of 1,911 square kilometers and a population of 13,224 persons with a predicted 1 mv/m signal or better. The area was determined by numerical integration. The population was determined on the basis of the 1990 U.S. Census figures.

AUTHORITY REQUESTED UNDER SECTION 73.215

The instant proposal would short-space KBDZ, Perryville, MO by 5 kilometers. Therefore, authority is requested under Section 73.215 in order to permit KYLS to use its presently licensed transmitter site. Attached as Figure 3 is a contour protection study as per the methods of Section 73.215 of the FCC Rules. As seen in this study, all contour protection criteria regarding KBDZ are observed.

BLANKETING

The proposed blanket contour, calculated in accordance with Paragraph 73.318(a) of the Commission's rules, extends a maximum of 0.35 kilometer from the transmitter site. The applicant will resolve all known complaints of blanketing interference within this contour in accordance with Section 73.318.

COVERAGE REQUIREMENTS

The herein-proposed facility will cover all of the city of Ironton with a 3.16 mv/m signal or better.

Engineering Statement - Page 3
KYLS(FM), Ironton, MO

ENVIRONMENTAL CONSIDERATIONS

Because of the fact that this proposal does not involve any significant changes to the present antenna-supporting structure, this proposal will have no physical environmental impact.

The proposed facility meets the radio frequency radiation exposure guidelines recommended in ANSI C95.1-1982. Using calculation methods described in OST Bulletin 65, the power density due to the proposed KYLS facility, at any point two meters above ground, would not exceed 0.071 mW/cm^2 , or 7.1% of the ANSI maximum. Therefore, the proposed facility is well within the ANSI guidelines for exposure to the public.

When construction or maintenance is to be performed at the site, workers will be protected from overexposure to RF radiation by either reducing transmitting power or turning off the power completely, as necessary.

Therefore, in view of the above, this proposal is not deemed to be a major environmental action.

ATTACHMENTS

Affidavit
FCC Form 301, Section V-B
Figure 1 - - - - Vertical Plan Sketch of Antenna Structure
Figure 2 - - - - Map Showing Proposed Predicted Service Contours
Figure 3 - - - - Contour Study Per Section 73.215 of FCC Rules
Figure 4-A - - - Allocation Study - Channel 225A Reference Point
Figure 4-B - - - Allocation Study - Present KYLS Site

AFFIDAVIT

COUNTY OF OZAUKEE
STATE OF WISCONSIN } SS:

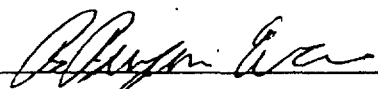
B. BENJAMIN EVANS, being duly sworn upon oath deposes and says:

That his qualifications are a matter of record with the Federal Communications Commission;

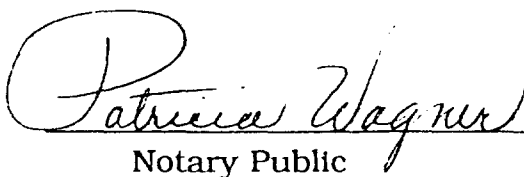
That he is a Consulting TeleCommunications Engineer in Wisconsin, and is a partner in the firm of Evans Associates;

That this firm has been retained by David E. Smith Communications, Inc. to prepare this engineering exhibit;

That he has either prepared or directly supervised the preparation of all technical information contained in this engineering statement, and that the facts stated in this engineering statement are true of his knowledge, except as to such statements as are herein stated to be on information and belief and as to such statements he believes them to be true.


B. Benjamin Evans

Subscribed and sworn to before me this 9th day of December, 1993.


Notary Public My Commission expires 5/15/94.

Section V-B - FM BROADCAST ENGINEERING DATA

FOR COMMISSION USE ONLY

File No. _____

ASB Referral Date _____

Referred by _____

Name of Applicant

DAVID E. SMITH COMMUNICATIONS, INC.

Call letters (if issued)

KYLS

Is this application being filed in response to a window? ☐ Yes ☒ No

If Yes, specify closing date: _____

Purpose of Application: (check appropriate boxes)

☐ Construct a new (main) facility

☐ Construct a new auxiliary facility

☐ Modify existing construction permit for main facility

☐ Modify existing construction permit for auxiliary facility

☒ Modify licensed main facility

☐ Modify licensed auxiliary facility

If purpose is to modify, indicate below the nature of change(s) and specify the file number(s) of the authorizations affected.

☐ Antenna supporting-structure height

☒ Effective radiated power

☐ Antenna height above average terrain

☒ Frequency

☐ Antenna location

☐ Class

☐ Main Studio location

☐ Other (Summarize briefly)

File Number(s) _____

1. Allocation:

Channel No.	Principal community to be served:		
	City	County	State
225	Ironton	Iron	MO

Class (check only one box below)

☒ A ☐ B1 ☐ B ☐ C

☐ C2 ☐ C1 ☐ C

2. Exact location of antenna.

(a) Specify address, city, county and state. If no address, specify distance and bearing relative to the nearest town or landmark.

No change

(b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates of center of array. Otherwise, specify tower location. Specify South Latitude or East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed.

Latitude	37	°	34	'	23	"	Longitude	90	°	41	'	35	"
----------	----	---	----	---	----	---	-----------	----	---	----	---	----	---

3. Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)? ☐ Yes ☒ No

If Yes, give call letter(s) or file number(s) or both. _____

If proposal involves a change in height of an existing structure, specify existing height above ground level including antenna, all other appurtenances, and lighting, if any.

N/A

SECTION V-8 - FM BROADCAST ENGINEERING DATA (Page 2)

4. Does the application propose to correct previous site coordinates?

☐ Yes ☒ No

If Yes, list old coordinates.

Latitude	0	Longitude	0
----------	---	-----------	---

5. Has the FAA been notified of the proposed construction? N/A

☐ Yes ☐ No

If Yes, give date and office where notice was filed and attach as an Exhibit a copy of FAA determination, if available.

Exhibit No.

Date _____ Office where filed _____

6. List all landing areas within 8 km of antenna site. Specify distance and bearing from structure to nearest point of the nearest runway.

Landing Area	Distance (km)	Bearing (degrees True)
(a) _____	N/A	_____
(b) _____	_____	_____

7. Elevation: (to the nearest meter)

(1) of site above mean sea level; _____ 520 meters

(2) of the top of supporting structure above ground (including antenna, all other appurtenances, and lighting, if any); and _____ 30 meters

(3) of the top of supporting structure above mean sea level [(aX1) + (aX2)] _____ 550 meters

(b) Height of radiation center: (to the nearest meter) H - Horizontal; V - Vertical

(1) above ground _____ 29 meters (H)

_____ 29 meters (V)

(2) above mean sea level [(aX1) + (bX1)] _____ 549 meters (H)

_____ 549 meters (V)

(3) above average terrain _____ 206 meters (H)

_____ 206 meters (V)

8. Attach as an Exhibit sketch(es) of the supporting structure, labelling all elevations required in Question 7 above, except item 7(b)(3). If mounted on an AM directional-array element, specify heights and orientations of all array towers, as well as location of FM radiator.

Exhibit No.
Fig. 1

9. Effective Radiated Power:

(a) ERP in the horizontal plane

_____ 0.77 kw (H=) _____ 0.77 kw (V=)

(b) Is beam tilt proposed?

☐ Yes ☒ No

If Yes, specify maximum ERP in the plane of the tilted beam, and attach as an Exhibit a vertical elevational plot of radiated field.

Exhibit No.

_____ kw (H=) _____ kw (V=)

=Polarization

SECTION V-8 - FM BROADCAST ENGINEERING DATA (Page 3)

10. Is a directional antenna proposed?

☐ Yes ☒ No

If Yes, attach as an Exhibit a statement with all data specified in 47 C.F.R. Section 73.316, including plot(s) and tabulations of the relative field.

Exhibit No.

11. Will the proposed facility satisfy the requirements of 47 C.F.R. Sections 73.315(a) and (b)?

☒ Yes ☐ No

If No, attach as an Exhibit a request for waiver and justification therefor, including amounts and percentages of population and area that will not receive 316 mV/m service.

Exhibit No.

12. Will the main studio be within the protected 316 mV/m field strength contour of this proposal?

☒ Yes ☐ No

If No, attach as an Exhibit justification pursuant to 47 C.F.R. Section 73.1125.

Exhibit No.

13. (a) Does the proposed facility satisfy the requirements of 47 C.F.R. Section 73.207?

☐ Yes ☒ No

(b) If the answer to (a) is No, does 47 C.F.R. Section 73.213 apply?

☐ Yes ☒ No

(c) If the answer to (b) is Yes, attach as an Exhibit a justification, including a summary of previous waivers.

Exhibit No.

(d) If the answer to (a) is No and the answer to (b) is No, attach as an Exhibit a statement describing the short spacing(s) and how it or they arose. Application is made pursuant to Section 73.215 of FCC Rules

Exhibit No.
Eng.

(e) If authorization pursuant to 47 C.F.R. Section 73.215 is requested, attach as an Exhibit a complete engineering study to establish the lack of prohibited overlap of contours involving affected stations. The engineering study must include the following:

Exhibit No.
Fig. 3

- (1) Protected and interfering contours, in all directions (360), for the proposed operation.
- (2) Protected and interfering contours, over pertinent arcs, of all short-spaced assignments, applications and allotments, including a plot showing each transmitter location, with identifying call letters or file numbers, and indication of whether facility is operating or proposed. For vacant allotments, use the reference coordinates as the transmitter location.
- (3) When necessary to show more detail, an additional allocation study utilizing a map with a larger scale to clearly show prohibited overlap will not occur.
- (4) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
- (5) The official title(s) of the map(s) used in the exhibits(s).

14. Are there: (a) within 60 meters of the proposed antenna, any proposed or authorized FM or TV transmitters, or any nonbroadcast *except citizens band or amateur* radio stations; or (b) within the blanketing contour, any established commercial or government receiving stations, cable head-end facilities, or populated areas; or (c) within ten (10) kilometers of the proposed antenna, any proposed or authorized FM or TV transmitters which may produce receiver-induced intermodulation interference?

☐ Yes ☒ No

If Yes, attach as an Exhibit a description of any expected, undesired effects of operations and remedial steps to be pursued if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by receiver-induced or other types of modulation) to facilities in existence or authorized or to radio receivers in use prior to grant of this application. (See 47 C.F.R. Sections 73.315(b), 73.316(a) and 73.318.)

Exhibit No.

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 4)

15. Attach as an Exhibit a 7.5 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the requirements set forth in Instruction V (D). The map must further clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.

Exhibit No.
On File

No change

16. Attach as an Exhibit *(name the source)* a map which shows clearly, legibly, and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.
Fig. 2

(a) the proposed transmitter location, and the radials along which profile graphs have been prepared;

(b) the 3.16 mV/m and 1 mV/m predicted contours; and

(c) the legal boundaries of the principal community to be served.

17. Specify area in square kilometers (1 sq. mi. = 2.59 sq. km.) and population (latest census) within the predicted 1 mV/m contour.

Area 1,911 sq. km.

Population 13,224 (1990 Census)

18. For an application involving an auxiliary facility only, attach as an Exhibit a map *(Sectional Aeronautical Chart or equivalent)* that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.
N/A

(a) the proposed auxiliary 1 mV/m contour; and

(b) the 1 mV/m contour of the licensed main facility for which the applied-for facility will be auxiliary. Also specify the file number of the license.

19. Terrain and coverage data *(to be calculated in accordance with 47 C.F.R. Section 73.313)*

Source of terrain data: *(check only one box below)*

☒ Linearly interpolated 30-second database

☐ 7.5 minute topographic map

(Source: National Geophysical Data Center)

☐ Other *(briefly summarize)*

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 5)

Radial bearing (degrees True)	Height of radiation center above average elevation of radial from 3 to 16 km (meters)	Predicted Distances	
		To the 3.16 mV/m contour (kilometers)	To the 1 mV/m contour (kilometers)
64	238.6	14.94	26.48
0	160.7	12.30	21.81
45	208.5	14.01	24.78
90	242.3	15.05	26.68
135	243.2	15.07	26.73
180	277.1	16.12	28.44
225	190.8	13.42	23.71
270	165.6	12.50	22.13
315	161.4	12.33	21.86

*Radial through principal community, if not one of the major radials. This radial should NOT be included in the calculation of HAAT.

20. Environmental Statement (See 47 C.F.R. Section 1.1301 et seq.)

Would a Commission grant of this application come within Section 1.1307 of the FCC Rules, such that it may have a significant environmental impact? ☐ Yes ☒ No

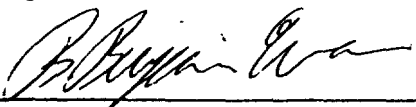
If you answer Yes, submit as an Exhibit an Environmental Assessment required by Section 1.1311.

Exhibit No.

If No, explain briefly why not. See Engineering Statement

CERTIFICATION

I certify that I have prepared this Section of this application on behalf of the applicant, and that after such preparation I have examined the foregoing and found it to be accurate and true to the best of my knowledge and belief.

Name (Typed or Printed) B. Benjamin Evans	Relationship to Applicant (e.g., Consulting Engineer) Consulting Engineer
Signature 	Address (Include ZIP Code) 216 N. Green Bay Road Thiensville, WI 53092
Date December 9, 1993	Telephone No. (Include Area Code) (414) 242-6000

SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

1. Does the applicant propose to employ five or more full-time employees?

☐ Yes ☐ No

If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC 898-A).

SECTION VII - CERTIFICATIONS

1. Has or will the applicant comply with the public notice requirement of 47 C.F.R. Section 73.3580?

☒ Yes ☐ No

2. Has the applicant reasonable assurance, in good faith, that the site or structure proposed in Section V of this form, as the location of its transmitting antenna, will be available to the applicant for the applicant's intended purpose?

☒ Yes ☐ No

If No, attach as an Exhibit, a full explanation.

Exhibit No.

If reasonable assurance is not based on applicant's ownership of the proposed site or structure, applicant certifies that it has obtained such reasonable assurance by contacting the owner or person possessing control of the site or structure.

Name of Person Contacted No change of station transmitter site
Applicant owns site

Telephone No. (include area code) _____

Person contacted: (check one box below)

☐ Owner

☐ Owner's Agent

☐ Other (specify) _____

4. By checking Yes, the applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862, or, in the case of a non-individual applicant (e.g., corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits that includes FCC benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. Section 1.2002(b).

☒ Yes ☐ No

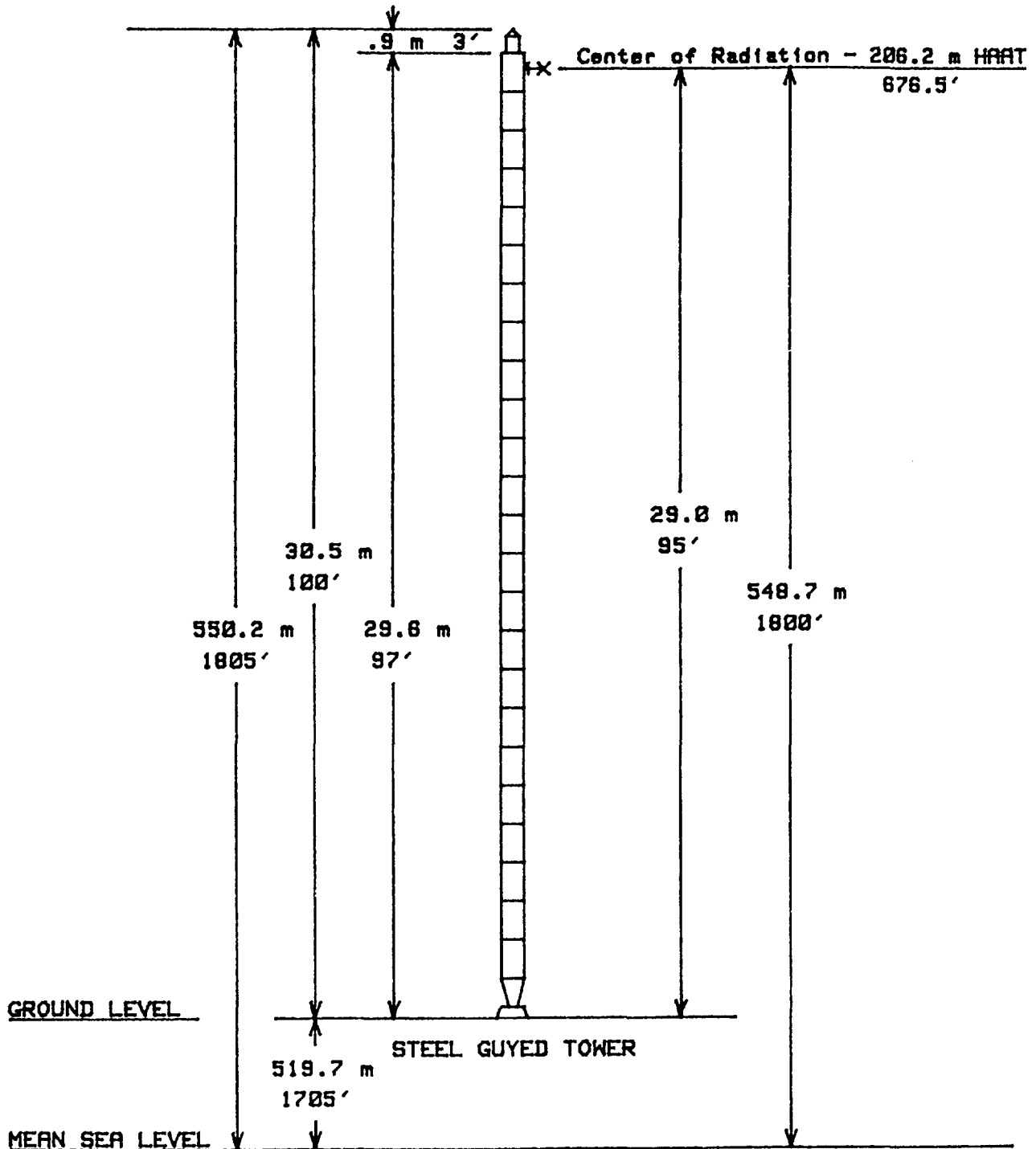
The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.66, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

FIGURE 1



VERTICAL PLAN SKETCH OF ANTENNA STRUCTURE

Radio Station KYLS(FM)
Ironton, Missouri
0.77 KW E.R.P. 92.9 MHz

FIGURE 2
PROPOSED PREDICTED SERVICE CONTOURS
KYLS(FM) IRONTON, MISSOURI
0.77 KW ERP - 206 M HAAT

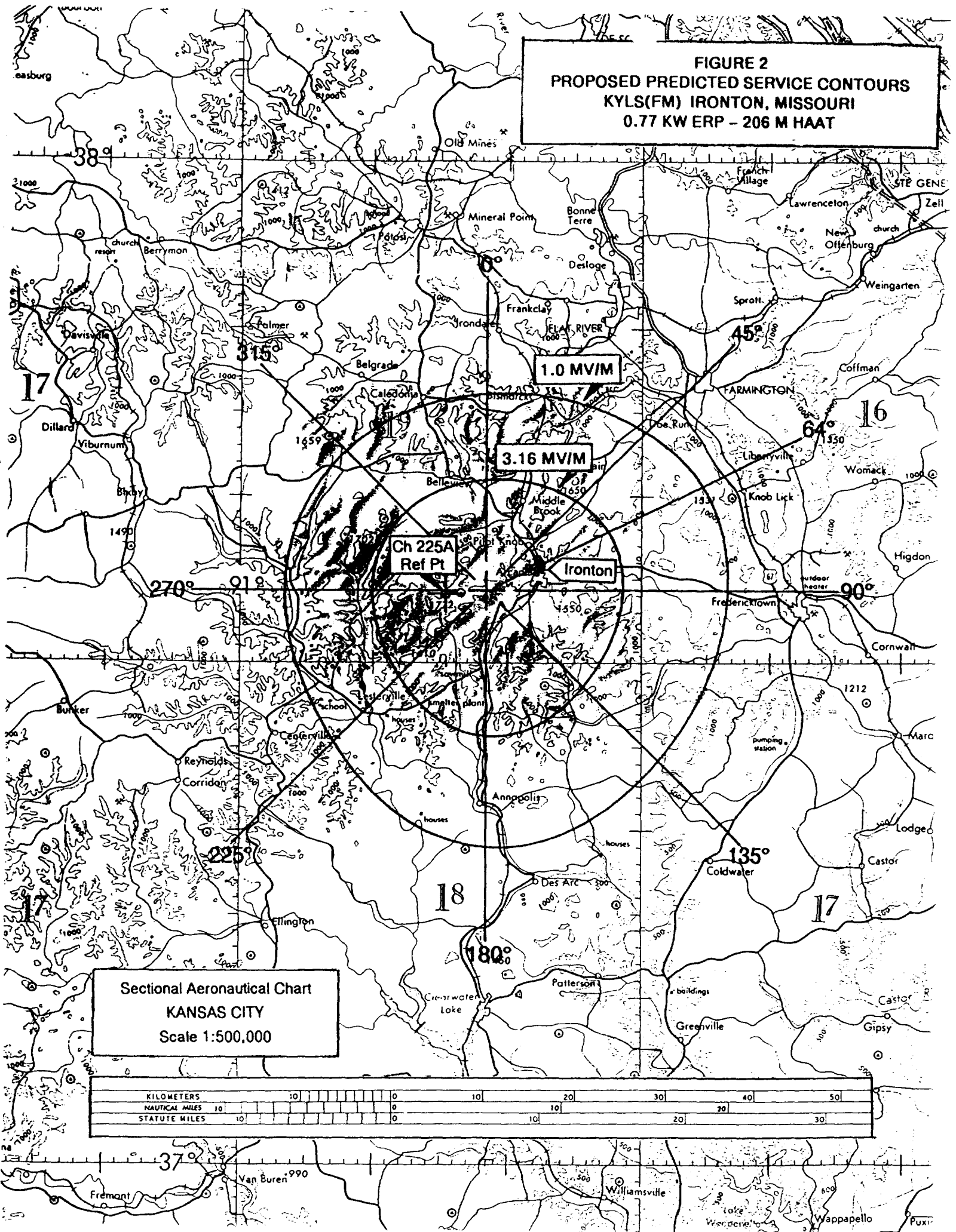
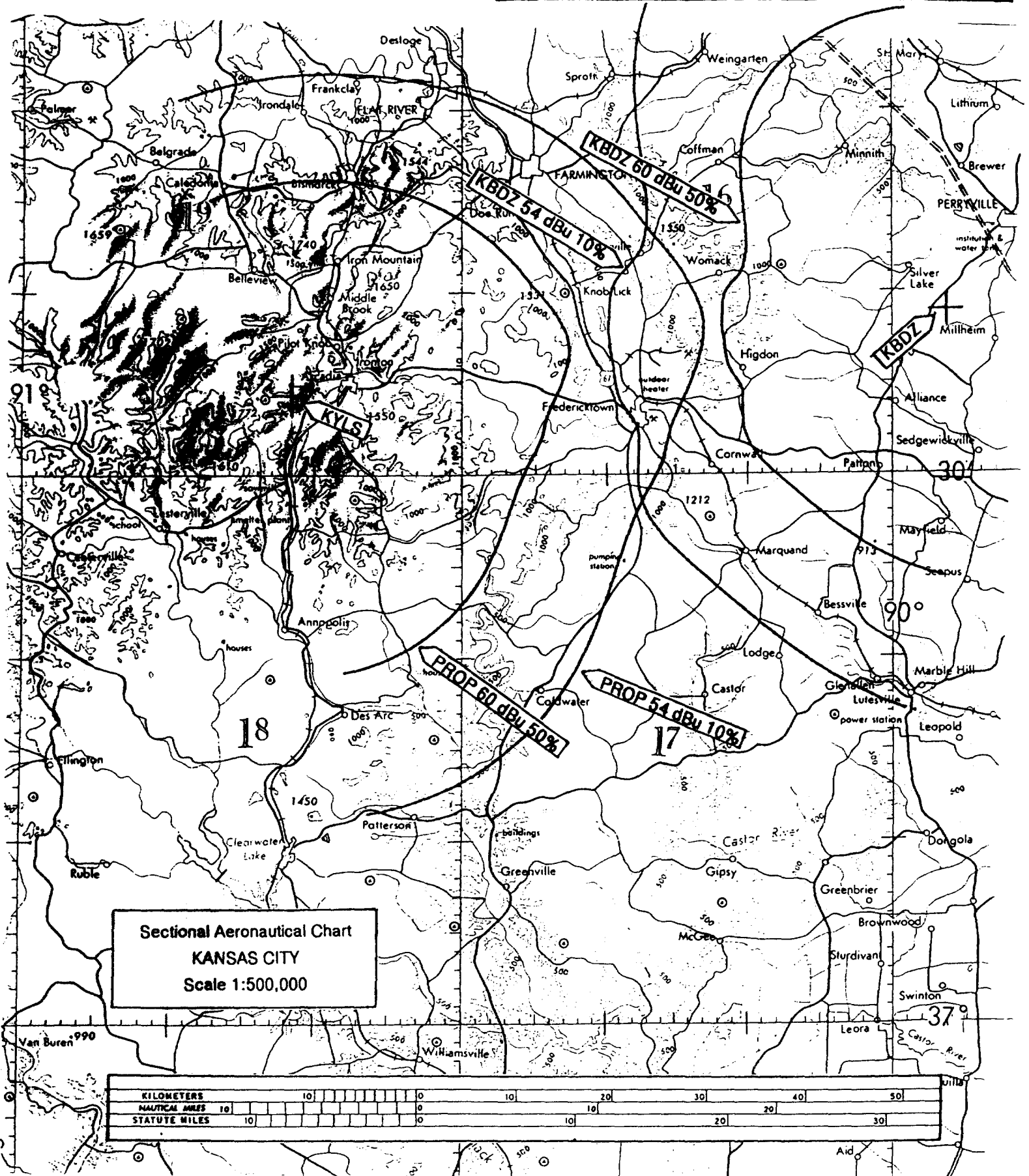


FIGURE 3
CONTOUR PROTECTION STUDY PER SECTION 73.215
KYLS Ch 225A IRONTON MO
KBDZ Ch 226A PERRYVILLE MO



EVANS ASSOCIATES

Consulting Engineers

Evans Associates
216 N. Green Bay Road
Thiensville, WI 53092
FM FREQUENCY ALLOCATION STUDY

Channel: 225A (92.9 MHz) 6 KW ERP
Coordinates: 37 - 34 - 4 90 - 44 - 35 REFERENCE POINT 100 M HAAT
Job Title: KYLS - IRONTON MO * indicates 73.215 Facility
Cl.A Spacing: 73.207

CALL	CITY	CH/CL-ZN	ERP-kw	HAAT-m	DA	LATITUDE	BEAR-to	DIST-km	REQ
STATUS	STATE	FCC#	APPLICANT/LICENSEE		LONGITUDE	-from-°T	CLEAR-km	-km	
WILFM	St. Louis	222C	100.	300		38 28 56	16.4°	105.9	94.5
LIC	MO	BLH890707KC	Heritage Media Corp.			90 23 53	196.7°	+11.4	
KBDZ	Perryville	226A	1.60	190		37 38 56	82.5°	71.6	71.5
LI	MO	BLH910131KC	Donze Communications			89 56 21	263.0°	+0.0	
KNLA	Steelville	227C2	8.5	356		38 6 16	336.4°	65.1	54.5
CP	MO	BPH910822JU	Twenty-One Sound Com			91 2 30	156.2°	+10.6	

>> *** CHANNEL SUITABLE FOR ASSIGNMENT *** <<

EVANS ASSOCIATES

Consulting Engineers

Evans Associates
216 N. Green Bay Road
Thiensville, WI 53092
FM FREQUENCY ALLOCATION STUDY

Channel: 225A (92.9 MHz) .77 KW ERP
Coordinates: 37 - 34 - 23 90 - 41 - 35 PRESENT SITE 206 M HAAT
Job Title: KYLS - IRONTON MO & indicates 73.215 Facility
CL.A Spacing: 73.207

CALL	CITY	CH/CL-ZN	ERP-kw	HAAT-m	DA	LATITUDE	BEAR-to	DIST-km	REQ
STATUS	STATE	FCC#	APPLICANT/LICENSEE			LONGITUDE	-from-°T	CLEAR-km	-km
WILFM	St. Louis	222C	100.	300		38 28 56	14.2°	104.2	94.9
LIC	MO	BLH890707KC	Heritage Media Corp.			90 23 53	194.4°	+9.7	
KBOZ	Perryville	226A	1.60	190		37 38 56	82.5°	67.1	71.5
LP	MO	BLH910131KC	Donze Communications			89 56 21	263.0°	-4.4*	48.5
KMLA	Steelville	227C2	8.5	356		38 6 16	332.7°	66.5	54.5
CP	MO	BPH910822JU	Twenty-One Sound Com			91 2 30	152.5°	+12.0	

>> * CHANNEL SHORT-SPACED; RELOCATION MAY BE POSSIBLE <<

** Required spacing under Section 73.215

APPENDIX B

LAW OFFICES

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(202) 775-3546

December 30, 1993

MITTED IN D.C.

DELIVERED VIA COURIER TO MELLON BANK

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Dear Mr. Caton:

Wayne E. Tate, the permittee of WVZA(FM), Herrin, Illinois hereby files an application for modification of the facilities of that station. This application proposes a change in the channel of WVZA from channel 224A to channel 224B1. It should be noted that the permittee has completed construction of the facilities of WVZA as a Class A station and will soon be commencing operations with those facilities, and filing a license for those Class A facilities. It is anticipated that the B1 modification will occur after commencement of the Class A operations.

An application for modification of the license of KYLS(FM), Ironton, Missouri is being filed concurrently with this application. The changes proposed in that application permit the upgrade proposed herein. Therefore, it is requested that these applications be processed concurrently.

A filing fee check in the amount of \$565.00 is being submitted.

